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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,700	05/31/2000	Cary Lee Bates	ROC20000071	5217
7590	11/29/2004		EXAMINER	
Gero G McClellan			WON, MICHAEL YOUNG	
Thomason Moser & Patterson LLP			ART UNIT	PAPER NUMBER
3040 Post Oak Boulevard				
Suite 1500			2155	
Houston, TX 77056-6582			DATE MAILED: 11/29/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/583,700	BATES ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael Y Won	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 October 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,2,4,5,8-19,21,22,25-40,42 and 45-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2,4,5,8-19,21,22,25-40,42 and 45-63 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. Claims 45-63 have been added.
2. Claims 1, 2, 4, 5, 8-19, 21, 22, 25-40, 42 and 45-63 have been examined and are pending with this action.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 46-63 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claims 46-50 and 49 contain the subject matter of "metadata". The examiner not find support within the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The examiner could not even find the term "metadata" mentioned in the specification.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-2, 4, 5, 8-15, 17-19, 21, 22, 25-32, 34-36, 38-42, 45, 46, 49, 50, 59, 60, 62 and 63 are rejected under 35 U.S.C. 102(e) as being anticipated by Adar et al. (US 6493702 B1).

**Independent:**

As per claims 1 and 18, Adar teaches a method (see title) and a computer-readable medium having instructions or programs (see abstract: “distributed program”) which, when executed by a process cause the process to perform a method for managing bookmark information in a data structure residing

on a computer, comprising: receiving a plurality bookmark information entries (see Fig.10 and col.10, lines 44), each of the bookmark information entries comprising a bookmarked network address and corresponding source identifier information identifying a specific source (see col.1, lines 65-col.2, line 4 and col.18, lines 39-45), of a plurality of sources, at which the bookmarked network address was bookmarked (see col.1, lines 27-39 & line 67-col.2, line 4; col.2, lines 26-28; col.8, lines 46-49; and col.10, lines 41-53); wherein each specific sources identified in the bookmark information entries is different one of the plurality of sources (inherent: see Fig.2, #212 & Fig.6, #614); and storing the bookmark information entries in the data structure (see col.4, lines 29-37 and col.5, lines 58-65).

As per claim 35, Adar teaches an apparatus, comprising: a computer (see col.1, line 15); a plurality of bookmarking device (see Fig.1, #110, #112, #114, & #116) each having a unique source identifier associated therewith (see col.1, line 67-col.2, line 4; col.2, lines 26-28; col.8, lines 46-49; and col.18, lines 39-45) and containing a browser adapted to process network addresses (see Fig.9, #912 and col.10, lines 13-18); and a network connection connecting the computer to the plurality of bookmarking devices (see Fig.1, #118), wherein the plurality of bookmarking device transfers the respective selected ones of the bookmarked network addresses and the respective unique source identifiers to the computer via the network connection (see col.1, lines 27-39 & line 67-col.2, line 4; col.2, lines 26-28; and col.8, lines 46-49) in a manner preserving an association between the selected ones of the respective bookmarked network addresses and

the respective unique source identifier, whereby a user managing the bookmarked network addresses on the computer can identify their respective sources (see Fig.2-Fig.6; col.8, line 41–col.9, line 20; and col.10, lines 47-53).

As per claim 45, Adar teaches a method for configuring a device with a source-identifying bookmarking function, comprising; providing a networked device with an Internet browser program (see Fig.1 and col.5, lines 41-44) and a bookmark file installed thereon, the Internet browser program having a bookmarking function to bookmark network addresses by storing the network addresses in the bookmark file (see col.1, line 60-col.2, line 17); and configuring the networked device to store in the bookmark file, with each bookmarked network address (see col.2, lines 5-8), corresponding source identifier information identifying the networked device as the specific source at which the corresponding bookmarked network address was bookmarked (see col.1, line 67-col.2, line 4 and col.18, lines 39-44).

As per claim 49, Adar teaches a data structure residing in memory, comprising; a bookmarked address column containing a plurality of bookmarked addresses (see Fig.2); and at least one metadata column containing metadata for each of the plurality of bookmarked network addresses, the metadata having been created when the respective bookmarked network address was bookmarked (see col.12, lines 48-56).

As per claim 59, Adar teaches a method for managing bookmark information in a data structure residing on a computer, comprising; a) maintaining a bookmark file, comprising; a plurality of bookmarked network addresses (see

Fig.2); and metadata for each of the plurality of bookmarked network addresses, the metadata having been created when the respective bookmarked network address was bookmarked (see col.12, lines 48-56); b) receiving a plurality of bookmark information (see Fig.10 and col.10, lines 44) transmissions over a network connection (see Fig.1 and col.5, lines 41-44), each of the bookmark information transmissions comprising a bookmarked network address and corresponding source identifier information identifying a specific source (see col.1, lines 65-col.2, line 4 and col.18, lines 39-45), of a plurality of sources, at which the bookmarked network address was bookmarked (see col.1, lines 27-39 & line 67-col.2, line 4; col.2, lines 26-28; col.8, lines 46-49; and col.10, lines 41-53); wherein each of the specific sources identified in the bookmark information entries is a different one of the plurality of sources (inherent: see Fig.2, #212 & Fig.6, #614); and c) storing the bookmark information contained in the plurality of bookmark information transmissions in the bookmark file (see col.4, lines 29-37 and col.5, lines 58-65), wherein storing comprises, for each transmission, storing the respective source identifier information as at least a portion of the metadata for a respective bookmarked network address (see col.12, lines 54-56).

**Dependent:**

As per claims 2 and 19, Adar teaches of further comprising, collecting the network addresses and source identifier information during an Internet browsing session (see col.6, lines 1-3 and col.10, lines 32-47).

As per claims 4, 14, 15, 21, 31, and 38, Adar further teaches wherein the plurality of unique sources or source identifier information is selected from the group comprising of a laptop, a cellular phone, e-mail, a personal data assistant, a set-top box, a watch, a hand-held computer, a pager, and a desktop computer (see col.1, line 15).

As per claims 5, 9, 22, 26, and 40, Adar further teaches wherein the data structure is a bookmark table having at least one bookmark entry (see Fig.6, #614 and col.6, lines 3-8).

As per claims 8 and 25, Adar teaches of further comprising populating a plurality of fields with the bookmark information to form the at least one bookmark entry (see Fig.5 and col.8, lines 51-56).

As per claims 10 and 27, Adar teaches of further comprising, wherein the plurality of bookmark entries is received from a remote network source different from any of the plurality of sources (see Fig.1, #120 & Fig.9, #922).

As per claims 11, 12, 28, and 29, Adar teaches of further comprising, prior to receiving the bookmark information entries: browsing a network connected to the plurality of sources and comprising the network addresses (see col.1, line 49 to col.2, line 4 and col.3, lines 55-62); storing the network addresses as bookmarks (see Fig.9, #918; Fig.10, #1018; and col.10, lines 38-40 & 47-50) containing source identifier information identifying the corresponding specific resource performing the storing (see col.1, lines 27-39 & line 67-col.2, line 4; col.2, lines 26-28; and col.8, lines 46-49); and sending stored bookmark

addresses and corresponding source identifier information to the computer as bookmark information entries (see col.10, lines 50-53).

As per claims 13, 30, and 36, Adar further teaches wherein the network is the Internet, and the network addresses are Uniform Resource Locators (URLs) (see col.1, lines 27-33).

As per claims 17 and 34, Adar further teaches wherein the bookmark information received from the plurality of sources may be administered at a local computer based on the source identifier information (see abstract).

As per claim 32, Adar further teaches wherein each source is a different device (implicit: see col.1, lines 27-39) and wherein the source identifier information further identifies a context in which a corresponding network address was bookmarked on the respective specific source (see col.1, lines 27-39 & line 67-col.2, line 4; col.2, lines 26-28; and col.8, lines 46-49).

As per claim 39, Adar further teaches wherein the computer comprises a data structure for storing the network addresses and unique source identifiers (see col.8, lines 46-49).

As per claim 42, Adar further teaches wherein the computer further comprises a second browser for managing the data structure (see Fig.2, Fig.3, Fig.5, and Fig.6).

As per claim 46, Adar teaches further comprising configuring the networked device to store in the bookmark file, with each bookmarked network address, metadata created at the time the respective bookmarked network

address is bookmarked and descriptive of at least a time at which the respective bookmarked network address was bookmarked (see col.12, lines 48-56).

As per claim 50, Adar further teaches wherein the metadata for each respective bookmarked network address comprises source identifier information identifying a specific source associated with a bookmarking activity by which the respective bookmarked network address was bookmarked in the bookmarked address column (see col.12, lines 48-56: "meta data may include... many other possible items of data" and col.18, lines 39-44).

As per claim 60, Adar further teaches wherein the plurality of bookmark information transmissions is received from the plurality of sources, each having a unique source identifier associated therewith and executing a network browser adapted to process network addresses and bookmark selected ones of the network addresses (see col.6, lines 9-19), wherein the source identifier information corresponding to each respective bookmarked network address represents one of the unique source identifiers (see independent claims).

As per claim 62, Adar further teaches wherein maintaining the bookmark file comprises maintaining a plurality of bookmark files, each for a separate user (see col.2, lines 47-48 and col.5, lines 59-61).

As per claim 63, Adar further teaches wherein each of the plurality of bookmark information transmissions further comprises a timestamp indicative of when the corresponding bookmarked network address was bookmarked on the respective specific source (see col.12, lines 43-45 & 49-54).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 16, 33, 47, 48, 51-58 and 61are rejected under 35 U.S.C. 103(a) as being unpatentable over Adar et al. (US 6493702 B1).

As per claims 16, 33, 47, 48, 51-58 and 61, Although Adar teaches of "other identifiers" (see col.8, lines 47-48) and further comprising configuring the networked device to store in the bookmark file, with each bookmarked network address, metadata (or source identifier) created at the time the respective bookmarked network address is bookmarked (see col.12, lines 48-56), Adar does not explicitly teach said metadata (or source identifier) is descriptive of, corresponding to, or identifies at least: the specific source selected from the group comprising of person, location, sender, channel, program, and phone number (claim 16 and 33); an email message from which the respective bookmarked network address was bookmarked (claims 47 and 52); a sender of the electronic mail (claims 48 and 53); a specific device type (claims 51 and 61); a channel of the set-top box (claim 55); a telephone number or a location identifier identifying a location of a caller (claim 57); the specific source as a set-

top box (claim 54); and the specific source as a personal data assistant (see claim 58).

However these differences are only found in nonfunctional descriptive material and are not functionally involved in the steps recited. The receiving and storing (claims 1, 18 and 59), providing and configuring (claims 45), or creating (claim 49) steps of the bookmark and the corresponding metadata (source identifier) would be performed the same regardless of the content data (i.e., person, location... electronic mail, device type, channel of set-top box, telephone number, specific source). Thus these descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381,1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use any data or information contained in the metadata or source identifier, because such data or information does not functionally relate to the steps in the method claimed. Furthermore, Adar teaches that a plurality of "additional information" can be employed to "contribute additional information to the system for use in improving and refining user and group profile" (see col.2, lines 28-32; col.12, lines 49-56; and col.13, lines 18-22).

5. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adar et al. (US 6493702 B1) in view of Smethers (US 6560640 B2).

As per claim 37, Adar does not explicitly teach wherein the network connection comprises a wireless connection. Smethers teaches wherein the network connection comprises a wireless connection (see col.3, lines 64-67). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Smethers within the system of Adar by employing a wireless network communication within the bookmarking apparatus because Smethers teaches that the hypertext technology has spread to wireless communications (see col.1, lines 11-12).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Y Won



November 23, 2004



HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER